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(3) Limited use of administrative controls over equipment that has not been demonstrated to be fully qualified.

(4) Completion of the safety function prior to exposure to the accident environment resulting from a design basis event and ensuring that the subsequent failure of the equipment does not degrade any safety function or mislead the operator.

(5) No significant degradation of any safety function or misleading information to the operator as a result of failure of equipment under the accident environment resulting from a design basis event.

(j) A record of the qualification, including documentation in paragraph (d) of this section, must be maintained in an auditable form for the entire period during which the covered item is installed in the nuclear power plant or is stored for future use to permit verification that each item of electric equipment important to safety covered by this section:

(1) Is qualified for its application; and

(2) Meets its specified performance requirements when it is subjected to the conditions predicted to be present when it must perform its safety function up to the end of its qualified life.

(k) Applicants for and holders of operating licenses are not required to re-qualify electric equipment important to safety in accordance with the provisions of this section if the Commission has previously required qualification of that equipment in accordance with "Guidelines for Evaluating Environmental Qualification of Class 1E Electrical Equipment in Operating Reactors," November 1979 (DOR Guidelines), or NUREG-0588 (For Comment version), "Interim Staff Position on Environmental Qualification of Safety-Related Electrical Equipment."

(l) Replacement equipment must be qualified in accordance with the provisions of this section unless there are sound reasons to the contrary.

[48 FR 2733, Jan. 21, 1983, as amended at 49 FR 45576, Nov. 19, 1984; 51 FR 40308, Nov. 6, 1986; 51 FR 43709, Dec. 3, 1986; 52 FR 31611, Aug. 21, 1987; 53 FR 19250, May 27, 1988; 61 FR 39300, July 29, 1996; 61 FR 65173, Dec. 11, 1996; 62 FR 47271, Sept. 8, 1997; 64 FR 72001, Dec. 23, 1999; 66 FR 64738, Dec. 14, 2001]

## 10 CFR Ch. I (1-1-04 Edition)

### ISSUANCE, LIMITATIONS, AND CONDITIONS OF LICENSES AND CONSTRUCTION PERMITS

#### § 50.50 Issuance of licenses and construction permits.

Upon determination that an application for a license meets the standards and requirements of the act and regulations, and that notifications, if any, to other agencies or bodies have been duly made, the Commission will issue a license, or if appropriate a construction permit, in such form and containing such conditions and limitations including technical specifications, as it deems appropriate and necessary.

#### § 50.51 Continuation of license.

(a) Each license will be issued for a fixed period of time to be specified in the license but in no case to exceed 40 years from date of issuance. Where the operation of a facility is involved, the Commission will issue the license for the term requested by the applicant or for the estimated useful life of the facility if the Commission determines that the estimated useful life is less than the term requested. Where construction of a facility is involved, the Commission may specify in the construction permit the period for which the license will be issued if approved pursuant to § 50.56. Licenses may be renewed by the Commission upon the expiration of the period. Renewal of operating licenses for nuclear power plants is governed by 10 CFR part 54. Application for termination of license is to be made pursuant to § 50.82.

(b) Each license for a facility that has permanently ceased operations, continues in effect beyond the expiration date to authorize ownership and possession of the production or utilization facility, until the Commission notifies the licensee in writing that the license is terminated. During such period of continued effectiveness the licensee shall—

(1) Take actions necessary to decommission and decontaminate the facility and continue to maintain the facility, including, where applicable, the storage, control and maintenance of the spent fuel, in a safe condition, and

(2) Conduct activities in accordance with all other restrictions applicable to

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the facility in accordance with the NRC regulations and the provisions of the specific 10 CFR part 50 license for the facility.

[56 FR 64976, Dec. 13, 1991, as amended at 61 FR 39300, July 29, 1996]

### § 50.52 Combining licenses.

The Commission may combine in a single license the activities of an applicant which would otherwise be licensed severally.

### § 50.53 Jurisdictional limitations.

No license under this part shall be deemed to have been issued for activities which are not under or within the jurisdiction of the United States.

[21 FR 355, Jan. 19, 1956, as amended at 43 FR 6924, Feb. 17, 1978]

### § 50.54 Conditions of licenses.

Whether stated therein or not, the following shall be deemed conditions in every license issued:

(a)(1) Each nuclear power plant or fuel reprocessing plant licensee subject to the quality assurance criteria in appendix B of this part shall implement, pursuant to § 50.34(b)(6)(ii) of this part, the quality assurance program described or referenced in the Safety Analysis Report, including changes to that report.

(2) Each licensee described in paragraph (a)(1) of this section shall, by June 10, 1983, submit to the appropriate NRC Regional Office shown in appendix D of part 20 of this chapter the current description of the quality assurance program it is implementing for inclusion in the Safety Analysis Report, unless there are no changes to the description previously accepted by NRC. This submittal must identify changes made to the quality assurance program description since the description was submitted to NRC. (Should a licensee need additional time beyond June 10, 1983 to submit its current quality assurance program description to NRC, it shall notify the appropriate NRC Regional Office in writing, explain why additional time is needed, and provide a schedule for NRC approval showing when its current quality assurance program description will be submitted.)

(3) Each licensee described in paragraph (a)(1) of this section may make a change to a previously accepted quality assurance program description included or referenced in the Safety Analysis Report without prior NRC approval, provided the change does not reduce the commitments in the program description as accepted by the NRC. Changes to the quality assurance program description that do not reduce the commitments must be submitted to the NRC in accordance with the requirements of § 50.71(e). In addition to quality assurance program changes involving administrative improvements and clarifications, spelling corrections, punctuation, or editorial items, the following changes are not considered to be reductions in commitment:

(i) The use of a QA standard approved by the NRC which is more recent than the QA standard in the licensee's current QA program at the time of the change;

(ii) The use of a quality assurance alternative or exception approved by an NRC safety evaluation, provided that the bases of the NRC approval are applicable to the licensee's facility;

(iii) The use of generic organizational position titles that clearly denote the position function, supplemented as necessary by descriptive text, rather than specific titles;

(iv) The use of generic organizational charts to indicate functional relationships, authorities, and responsibilities, or, alternately, the use of descriptive text;

(v) The elimination of quality assurance program information that duplicates language in quality assurance regulatory guides and quality assurance standards to which the licensee is committed; and

(vi) Organizational revisions that ensure that persons and organizations performing quality assurance functions continue to have the requisite authority and organizational freedom, including sufficient independence from cost and schedule when opposed to safety considerations.

(4) Changes to the quality assurance program description that do reduce the commitments must be submitted to the NRC and receive NRC approval prior to implementation, as follows: